

UNITED STATES DISTRICT COURT

for the

Northern District of California

TA CHONG BANK LTD.,

v.

HITACHI HIGH TECHNOLOGIES AMERICA, INC.
a Delaware Corp.; DOES 1-10,

Case No.: C 08-2452 PJH

Bill of CostsJudgment having been entered in the above entitled action 07/03/2008 against Plaintiff Ta Chong Bank Ltd.,
Date

the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$ <u>350.00</u>
Fees for service of summons and subpoena	_____
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case	_____
Fees and disbursements for printing	_____
Fees for witnesses (itemize on page two)	<u>0.00</u>
Fees for exemplification and copies of papers necessarily obtained for use in the case	_____
Docket fees under 28 U.S.C. 1923	_____
Costs as shown on Mandate of Court of Appeals	_____
Compensation of court-appointed experts	_____
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	_____
Other costs (please itemize)	_____
TOTAL	\$ <u>350.00</u>

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:



Electronic service by e-mail as set forth below and/or.



Conventional service by first class mail, postage prepaid as set forth below.

s/ Attorney: _____ /s/

Name of Attorney: Avin P. SharmaFor: Defendant Hitachi High Technologies America, Inc.

Name of Claiming Party

Date: 07/07/2008

Costs are taxed in the amount of _____ and included in the judgment.

Clerk of Court

By: _____
Deputy Clerk

Date

UNITED STATES DISTRICT COURT

[illegible]

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

“Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed.”

See also Section 1920 of Title 28, which reads in part as follows:

“A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree.”

The Federal Rules of Civil Procedure contain the following provisions:

RULE 54(d)(1)

Costs Other than Attorneys' Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 1 day's notice. On motion served within the next 5 days, the court may review the clerk's action

RULE 6

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

RULE 58(e)

Cost or Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

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AVIN P. SHARMA /CA SB# 233328
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Attorneys for Defendant HITACHI HIGH TECHNOLOGIES
AMERICA, INC., a Delaware Corporation

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TA CHONG BANK LTD.,

Plaintiff,

v.

HITACHI HIGH TECHNOLOGIES
AMERICA, INC., a Delaware Corporation; and
DOES 1-10, inclusive,

Defendants.

Case No: C-08-02452-PJH

**DECLARATION OF AVIN P. SHARMA
IN SUPPORT OF DEFENDANT
HITACHI HIGH TECHNOLOGIES
AMERICA, INC'S BILL OF COSTS**

Judge: The Honorable Phyllis J. Hamilton
Dept: Ctrm 3, 17th Floor

1 I, Avin P. Sharma, declare as follows:

2 1. I am an attorney duly licensed to practice law in the State of California. I am an
3 attorney at Vasquez, Benisek & Lindgren LLP and counsel for defendant Hitachi High
4 Technologies America, Inc., ("HTA") in the above captioned action. I know the facts stated
5 herein to be true and correct based on my personal knowledge, and if called to testify, I could
6 and would testify competently thereto.

7 2. On May 13, 2008, HTA filed a Notice of Removal, Civil Cover Sheet, and
8 Certification of Interested Entities with the US District Court for the Northern District of
9 California. The Clerk of the Court charged HTA a filing fee of \$350.00.

10 3. One Legal LLC was the company that processed the filing of the documents for
11 HTA. A true and correct copy of the May 13, 2008 One Legal LLC confirmation that reflects
12 the \$350.00 fee paid to the Clerk of the Court for HTA's filing is attached hereto as **Exhibit A**.
13

14 I declare under penalty of perjury under the laws of the State of California that the
15 foregoing is true and correct and that this declaration was executed on July 7, 2008 at Lafayette,
16 California.

17
18 _____ /s/

19 Avin P. Sharma
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Exhibit A

ONE LEGAL LLC

CONFIRMATION For Court Filing & Research

ONE LEGAL CONFIRMATION FOR ORDER NO: 5591787		Date: 5/13/2008
Customer Vasquez Benisek & Lindgren	Attorney Avin P Sharma	
Customer No. 0060456	Attorney e-mail asharma@vbllaw.com	
Address 3685 MT DIABLO BLVD STE 300	Contact Avin P Sharma	
LAFAYETTE, CA 94549-6833	Contact e-mail asharma@vbllaw.com	
	Contact Phone 925-627-4250	
	Contact Fax 925-403-0900	
	Law Firm File Number 1006-001	

Case Information:
Case Number C0802452bz
County ALAMEDA
Court Northern District of California
Case Short Title Ta Chong Bank Ltd. vs. Hitachi High Technologies America, Inc.

Documents Received:	No. Docs: 3 No. Pgs: 119
Notice of Removal, Civil Cover Sheet, Certification of Interested Entities, Exhibit A to Notice of Removal, Exhibit B to Notice of Removal, Exhibit C to Notice of Removal (part 1 of 2), Exhibit C to Notice of Removal (part 2 of 2)	

This is a Confirmation Only. Not an Invoice!

Notes:	Services:	Summary of Charges:
Dear Mr. Sharma: The original ADR will be sent via priority mail.-SA File Status: Assignment Completed	Service fee	197.50
	Remote Area	20.00
	Court Filing Fee	350.00
	Clerk of Court Ck:3024698	
	Funds advance fee	24.50
	Phone calls	4.00
	Copies	29.75
		Total: 625.75

Thank you for choosing One Legal. If you have any questions about this assignment, please contact,
 105 Branch
 Ph: 510-835-3100 Fx: 510-835-9044